

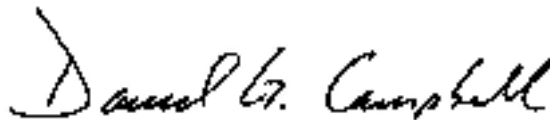
1 Complaint. The Court will not grant additional time to complete discovery.¹

2 2. Defendant noticed Plaintiff's deposition for November 22, 2005. Although
3 the parties disagree on why the deposition was postponed,² it is clear that Plaintiff did not
4 postpone the deposition until defense counsel called the office of Plaintiff's counsel on
5 the morning of November 21, 2005, to confirm the start time. This untimely postponement
6 of the deposition was not appropriate. The Court will award \$250 in sanctions against
7 Plaintiff and his counsel for the untimely postponement of the deposition. These
8 sanctions shall be paid to Defendant on or before December 31, 2005. Defendant shall be
9 permitted to complete the deposition of Plaintiff on a date agreeable to both parties, but in
10 no event later than December 16, 2005.

11 3. Defendant shall produce to Plaintiff the documents initially disclosed in
12 Defendant's Eighth Rule 26 Supplemental Disclosure Statement and withdrawn in
13 Defendant's Amended Eighth Rule 26 Supplemental Disclosure Statement. These
14 documents shall be produced on or before December 2, 2005.

15 4. The December 22, 2005 dispositive motion deadline shall remain in effect.

16 DATED this 23rd day of November, 2005.

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20 _____
21 David G. Campbell
22 United States District Judge
23

24 ¹ This ruling means that Plaintiff will not have the opportunity to depose the defense
25 witnesses discussed during the conference call.

26 ² Defense counsel contends that Plaintiff's counsel cancelled the deposition because
27 Defendant had declined to produce documents withdrawn from disclosure in Defendant's
28 Amended Eighth Rule 26 Supplemental Disclosure Statement. Plaintiff's counsel denies
that this was the basis for the postponement, stating instead that there was a calendar
conflict.